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Attorneys for Defendant
Strategic Opportunity Solutions, LLC,
d/b/a Buffalo Ranch

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GREGORY R. RAIFMAN, individually and as
Trustee of the RAIFMAN FAMILY
REVOCABLE TRUST DATED 7/2/03,
SUSAN RAIFMAN, individually and as
Trustee of the RAIFMAN FAMILY
REVOCABLE TRUST DATED 7/2/03, and
GEKKO HOLDINGS, LLC, an Alaska limited
liability company, dba GEKKO BREEDING
AND RACING,

Plaintiffs,

v.

CLASSICSTAR, LLC, a Utah limited liability
company, CLASSICSTAR FARMS, LLC, a
Kentucky limited liability company,
BUFFALO RANCH, a business entity form
unknown, GEOSTAR CORPORATION, a
Delaware corporation, S. DAVID PLUMMER,
SPENCER D. PLUMMER III, TONY
FERGUSON, THOMAS ROBINSON, JOHN
PARROT, HANDLER, THAYER &
DUGGAN, LLC, an Illinois Limited Liability
Company, THOMAS J. HANDLER,
KARREN, HENDRIX, STAGG, ALLEN &
COMPANY, P.C., a Utah professional
corporation f/k/a KARREN, HENDRIX &
ASSOCIATES, P.C., a Utah professional
corporation, TERRY L. GREEN, and DOES 1-
1000 inclusive,

Defendants.

Case No. C 07-2552 EDL

**DECLARATION OF S. DAVID
PLUMMER IN SUPPORT OF
MOTION TO DISMISS**

Hearing Date: Tuesday, July 24, 2007
Hearing Time: 9:00 a.m.
Courtroom: E, 15th Floor

The Honorable Elizabeth D. Laporte

1 I, S. David Plummer, herby declare:

2 1. I am one of the founders of, and am currently a member of, Strategic Opportunity
3 Solutions, LLC ("SOS"), a Utah limited liability company with its principal place of business in
4 Farmington, Utah. I have personal knowledge of the matters declared herein, am over the age of
5 eighteen, and if called as a witness would be competent to testify about the matters declared
6 herein.

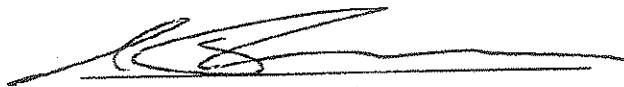
7 2. Since 2002, SOS has done business as Buffalo Ranch.

8 3. SOS has never:

- 9 a. Qualified to do business in California;
- 10 b. Owned or leased real or personal property in the state of California;
- 11 c. Owed or been required to pay taxes in the state of California;
- 12 d. Maintained an office in the state of California;
- 13 e. Had employees or contractors who resided or were domiciled in the state
14 of California;
- 15 f. Conducted business with any of the plaintiffs;
- 16 g. Conducted any horse breeding operations within California;
- 17 h. Conducted advertising (print, radio, TV, or online) that was directed or
18 circulated to only California residents or a small number of states
19 including California;
- 20 i. Conducted promotions directed only to California residents or a small
21 number of states including California; or
- 22 j. Sponsored events in California or a small number of states including
23 California.

24 4. It would be burdensome to SOS to defend this action in this Court because SOS
25 does not maintain an office in this state, and its employees, managers, and members who may
26 serve as potential witnesses all reside or are domiciled in Utah or Texas. Moreover, all of
27 SOS' documents are located at either its Utah or Texas facilities.
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1 I declare under penalty of perjury that the foregoing is true and correct.
2 Executed on June 12, 2007, at Farmington, Utah.

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